

**CITY COUNCIL MEETING
MAY 21, 2002**

Date & Time	On the 21 st day of May, A.D., 2002, the City Council of the City of Fort Worth, Texas, met in regular session at 10:05 a.m. in the City Council Chamber, 1000 Throckmorton, with the following members and officers present:
Attendance	Mayor Kenneth Barr; Mayor Pro tempore Ralph McCloud; Council Members Jim Lane, Chuck Silcox, Becky Haskin, Frank Moss, Jeff Wentworth, and Wendy Davis; City Manager Gary Jackson; City Attorney David Yett; Assistant City Secretary Sylvia Glover. Council Member Clyde Picht was absent. With more than a quorum present, the following business was transacted:
Invocation	The invocation was given by Pastor Ken Ehrke, Agape Metropolitan Community Church.
Pledge	The Pledge of Allegiance was recited.
Minutes	On motion of Council Member Haskin, seconded by Mayor Pro tempore McCloud, the minutes of the regular meeting of May 14, 2002, were approved unanimously.
Special Presentations	Mr. Dan Petty, representing the North Texas Clear Air Coalition, presented a TXU Community Grant to the Environmental Management Department.
Announcements	Council Member Lane announced that on May 23, 2002, the first Fort Worth Cats game would be played at LaGrave Field. He introduced Mr. Carl Bell who expressed appreciation to the Council and City staff for their support and stated that it was an example of a true partnership between private enterprise and the City of Fort Worth. He added that opening ceremonies would start at 6:00 p.m. and the game at 7:05 p.m. with former Cats veteran, Maury Wills, throwing the first pitch. He presented each Council Member with tickets to the game and a Cats baseball cap and invited everyone to go out and enjoy the game. Mayor Barr thanked Mr. Bell for his vision and leadership and stated that LaGrave Field was part of rebuilding the City of Fort Worth, especially on the north side, and acknowledged Assistant City Attorneys Peter Vaky and Cynthia Garcia for their assistance in this endeavor.
Withdrawn from Consent Agenda	City Manager Jackson requested that Mayor and Council Communication Nos. P-9600, PZ-2372, and C-19093 be withdrawn from the consent agenda.
Continued/ Withdrawn By Staff	City Manager Jackson requested that Mayor and Council Communication Nos. PZ-2372 be continued for one week and that C-19080 be continued for two weeks.

**CITY COUNCIL MEETING
FORT WORTH, TEXAS
MAY 21, 2002
PAGE 2 of 18**

- Consent Agenda** On motion of Council Member Haskin, seconded by Council Member Davis, the consent agenda, as amended, was adopted unanimously.
- Appointments** Council Member Haskin stated that Mr. Richard Romero had resigned from the Human Relations Commission as he was relocating to Washington DC and wished him well. She made a motion, seconded by Council Member Davis, to appoint Ms. Roberta Florez to Place 5 on the Animal Shelter Advisory Board, and that Mr. William Boecker be appointed to Place 3 (Realtor) on the Downtown Design Review Board, with both appointments effective May 21, 2002, and with terms expiring October 1, 2003. The motion carried unanimously.
- Ord. #15100** There was presented Ordinance No. 15100 by the City Council of
Texas Water and the City of Fort Worth, authorizing the issuance and sale of City of
Sewer System Fort Worth, Texas, Water and Sewer System Subordinate Lien
Subordinate Revenue Bonds, Series 2002, and ordaining other matters related
Lien Revenue thereto. Council Member Wentworth made a motion, seconded by
Bonds, Series Council Member Davis, that the ordinance be adopted. The motion
2002 carried unanimously.
- Res. #2833** There was presented Resolution No. 2833 by the City Council of
Intervene in Gas the City of Fort Worth, authorizing the City of Fort Worth to
Utility Docket intervene in Gas Utility Docket No. 9292 before the Railroad
No. 9292 Before Commission of Texas. Council Member Lane made a motion,
Railroad seconded by Council Member Haskin, that the resolution be
Commission adopted. The motion carried unanimously.
- Res. #2834** There was presented Resolution No. 2834 by the City Council of
Intervene in Gas the City of Fort Worth, authorizing the City of Fort Worth to
Utility Docket intervene in Gas Utility Docket No. 9304 before the Railroad
No. 9304 Before Commission of Texas. Council Member Lane made a motion,
Railroad seconded by Council Member Haskin, that the resolution be
Commission adopted. The motion carried unanimously.
- Res. #2835** There was presented Resolution No. 2835 by the City Council of
Appointment to the City of Fort Worth, appointing Council Member Frank Moss to
Board of the Board of Directors of Tax Increment Reinvestment Zone
Directors Tax Number Two (Speedway TIF), City of Fort Worth, Texas.
Increment Council Member Haskin requested that appointments to such
Reinvestment boards be brought to the full Council for discussion before being
Zone No. 2 placed on the agenda for vote and to look into providing more
diversity on this board.

Council Member Lane made a motion, seconded by Council Member Davis, that the resolution be adopted. The motion carried unanimously.

**OCS-1282
Claims**

There was presented Mayor and Council Communication No. OCS-1282 from the Office of the City Secretary recommending that the City Council refer notices of claims regarding alleged damages and/or injuries to the Finance Department. It was the consensus of the City Council that the recommendation be adopted.

**OCS-1283
Res. No. 2836
Setting Regular
Zoning Hearing**

There was presented Mayor and Council Communication No. OCS-1283 from the Office of the City Secretary recommending that the City Council adopt Resolution No. 2836 setting the regular zoning hearing for June 11, 2002. Council Member Haskin made a motion, seconded by Council Member Davis, that the recommended be adopted. The motion carried unanimously.

**G-13610
Ord. #15101
Amend Speed
Zone Ordinance**

There was presented Mayor and Council Communication No. G-13610, dated April 30, 2002, from the City Manager recommending that the City Council approve certain amendments to the City's Speed Zone Ordinance, Chapter 22 of the City Code, by adopting Ordinance No. 15101 amending Chapter 22 Motor Vehicles and Traffic of the Code of the City of Fort Worth (1986), as amended, by amending Subsection Subsections (f) and (g) of Section 22-86 of Article III thereof by changing location, extent and/or speed limits of certain speed zones; providing that this ordinance shall be cumulative of all provisions of ordinances and of such code affecting motor vehicles and traffic.

Council Member Wentworth made a motion, seconded by Mayor Pro tempore McCloud, that the recommended be adopted.

Council Member Silcox stated that he disapproved with the speed limit increase as it related to SH 183 on Southwest Boulevard, from Vickery to the traffic circles. He added that he could not support the increase as this was a residential part of town, a safety concern, and people should be encouraged to slow down, not drive faster.

Mr. George Behmanesh, Acting Director of the Transportation/ Public Works Department, stated that speed limits are set based on traffic surveys performed by the Texas Department of Transportation (TxDOT). Their study for this area revealed that at the 85 percentile, the traveling public drives at 46 miles per hour

and that a survey conducted by the City revealed the public drives at 49 miles per hour. He added that according to TXDoT policy, the speed limit had to be posted as close to the 46 mile per hour speed as possible.

City Attorney Yett stated that this was a State highway and therefore the City had no alternative but to follow TXDoT's advice and State law and increase the speed limits.

The motion carried by the following vote:

AYES: Mayor Barr; Mayor Pro tempore McCloud;
Council Members Lane, Haskin, Moss,
Wentworth, and Davis

NOES: Council Member Silcox

ABSENT: Council Member Picht

**G-13625
Res. #2837
Optional
Participation in
TexSTAR**

There was presented Mayor and Council Communication No. G-13625 from the City Manager recommending that the City Council adopt Resolution No. 2837 authorizing the Optional Participation of the City of Fort Worth in the Texas Short Term Asset Reserve Program (TexSTAR) as a possible investment option for the City's short-term investment portfolio. It was the consensus of the City Council that the recommendation be adopted.

**P-9598
Crushed
Limestone and
Rip Rap**

There was presented Mayor and Council Communication No. P-9598 from the City Manager recommending that the City Council authorize a purchase agreement with multiple vendors for crushed limestone and rip rap for the Water Department, Field Operations Division based on the low bid meeting specifications with payment due 30 days from the date of the invoice; and authorize this agreement to begin May 21, 2002, and expire May 20, 2003, with options to renew for two successive one-year periods. It was the consensus of the City Council that the recommendation be adopted.

**P-9599
Dell Server
Components**

There was presented Mayor and Council Communication No. P-9599 from the City Manager recommending that the City Council authorize a sole source purchase agreement with Dell Computer Corporation for Dell server components to make necessary upgrades to the Library Department's servers using the State of Texas Catalogue purchasing procedures at a total cost of \$30,051.50. It was the consensus of the City Council that the recommendation be adopted.

**P-9600
Microsoft Server
Licenses** There was presented Mayor and Council Communication No. P-9600 from the City Manager recommending that the City Council authorize a purchase agreement with Software House International for Microsoft server licenses at the Deep Educational Discount for the Library Department for an estimated cost of \$31,941.10.

City Manager Jackson stated that the Recommendation section of the M&C needed to be amended to reflect the estimated purchase price as "\$27,408.50" and not "\$31,941.10."

Council Member Davis made a motion, seconded by Council Member Haskin, that Mayor and Council Communication No. P-9600 be adopted, as amended. The motion carried unanimously

**P-9601
Boiler System
Repairs** There was presented Mayor and Council Communication No. P-9601 from the City Manager recommending that the City Council authorize a purchase agreement with T. F. Tigert Company, Inc. to provide boiler system repairs for the City of Fort Worth based on the low bid meeting specifications with payment due 30 days from the date of the invoice; and authorize this agreement to begin May 27, 2002, and expire May 26, 2003, with an option to renew for two successive one-year periods. It was the consensus of the City Council that the recommendation be adopted.

**P-9602
Flowable Fill
Material Service** There was presented Mayor and Council Communication No. P-9602 from the City Manager recommending that the City Council authorize a purchase agreement with Custom-Crete for flowable fill material service for the Water Department, Field Operations Division based on the low bid meeting specifications with payment due 30 days from the date of the invoice; and authorize this agreement to begin May 21, 2002, and expire May 20, 2003, with options to renew for two successive one-year periods. It was the consensus of the City Council that the recommendation be adopted.

**P-9603
Reflective Glass
Beads** There was presented Mayor and Council Communication No. P-9603 from the City Manager recommending that the City Council authorize a purchase agreement with Flex-O-Lite, Inc. to provide reflective glass beads for marking runways at Fort Worth Meacham International Airport based on the low bid meeting specifications with payment due 30 days from the date of the invoice; and authorize this agreement to begin May 21, 2002, and expire May 20, 2003, with an option to renew for two successive one-year periods. It was the consensus of the City Council that the recommendation be adopted.

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| P-9604
Reject Bids and
Authorize the
Issue of Request
for Quotations
for Summer
Food Program | There was presented Mayor and Council Communication No. P-9604 from the City Manager recommending that the City Council authorize the rejection of bids received for the Summer Food Program; and authorize the issue of a Request for Quotations for the Summer Food Program for the Parks and Community Services Department. Council Member Moss made a motion, seconded by Council Member Davis, that the recommendation be adopted. The motion carried unanimously. |
| P-9605
Furnish Meals
for Summer
Food Program | There was presented Mayor and Council Communication No. P-9605 from the City Manager recommending that the City Council authorize a purchase agreement with Senior Citizens of Greater Tarrant County, Inc. to furnish meals for the Summer Food Program for the Parks and Community Services Department; and authorize this agreement to begin June 3, 2002, and expire August 9, 2002. Council Member Davis made a motion, seconded by Council Member Moss, that the recommendation be adopted. The motion carried unanimously. |
| L-13303
Sanitary Sewer
Easement | There was presented Mayor and Council Communication No. L-13303 from the City Manager recommending that the City Council release and abandon a 14,732 square foot sanitary sewer easement located at the northeast corner of Green Oaks Road and Ridgmar Boulevard, dedicated to the City of Fort Worth National Bank, Tarrant County, Texas. It was the consensus of the City Council that the recommendation be adopted. |
| L-13304
Permanent
Easement | There was presented Mayor and Council Communication No. L-13304 from the City Manager recommending that the City Council approve the acceptance of one permanent easement described as Lot 1, Block 1, Eagle Mountain-Saginaw ISD school site, Tarrant County, Texas, from Eagle Mountain-Saginaw Independent School District (DOE 3631) needed for the purpose of constructing sanitary sewer improvements in the Lake Crest Estates, for a total cost of \$1.00. It was the consensus of the City Council that the recommendation be adopted. |
| L-13305
Condemnation
of Property for
Construction of
East Fogg Street | There was presented Mayor and Council Communication No. L-13305 from the City Manager recommending that the City Council declare the necessity of taking an interest in Lots 13, Block 16, Fairview Heights Addition, Tarrant County, Texas, for the construction of East Fogg Street; and authorize the City Attorney to institute condemnation proceedings to acquire the interest of the land. It was the consensus of the City Council that the recommendation be adopted. |

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| L-13306
Condemnation
of Property for
Construction of
East Fogg Street | There was presented Mayor and Council Communication No. L-13306 from the City Manager recommending that the City Council declare the necessity of taking an interest in Lots 11 and 12, Block 16, Fairview Heights Addition, Tarrant County, Texas, for the construction of East Fogg Street; and authorize the City Attorney to institute condemnation proceedings to acquire the interest in the land. It was the consensus of the City Council that the recommendation be adopted. |
| L-13307
Condemnation
of Property for
Construction of
East Fogg Street | There was presented Mayor and Council Communication No. L-13307 from the City Manager recommending that the City Council declare the necessity of taking an interest in Lots 12 and 13, Block 3, Weisenberger Addition, Tarrant County, Texas, for the construction of East Fogg Street; and authorize the City Attorney to institute condemnation proceedings to acquire the interest in the land. It was the consensus of the City Council that the recommendation be adopted. |
| L-13308
Purchase
Property for
Development of
Evans Avenue
and Rosedale
Street Business
and Cultural
District | There was presented Mayor and Council Communication No. L-13308 from the City Manager recommending that the City Council approve the purchase of property described as Lot 16, Block 3 (1012 Missouri Avenue), Evans South Addition, from Reverend L. B. George for the development of the Evans Avenue and Rosedale Street Business and Cultural District (DOE 2886) in the amount of \$41,500.00 plus estimated closing costs; and authorize the City Manager to execute the appropriate closing documents, and allow the Engineering Department, Real Property Services Division to file the deed in the City's name. It was the consensus of the City Council that the recommendation be adopted. |
| L-13309
Right-of-Way
Acquisition of
One Parcel | There was presented Mayor and Council Communication No. L-13309 from the City Manager recommending that the City Council approve the right-of-way acquisition of one parcel described as Lot 6, Block 32, Westcliff Addition, Tarrant County, Texas, from Christian Ministries, Inc., for the Granbury Road/Wabash Avenue Intersection Improvement Project (DOE 3367), for a total cost of \$120.00. It was the consensus of the City Council that the recommendation be adopted. |
| L-13310
Purchase
Property as Part
of Mercado Fort
Worth Project | There was presented Mayor and Council Communication No. L-13310 from the City Manager recommending that the City Council authorize the acquisition of property described as Lot 2 and the South half of Lot 19, Block 58 (1442 and 1444 North Main Street and 1419 North Commerce Street), Googins Subdivision, Fort Worth, |

Tarrant County, Texas from Sarah B. Gallegos (Individually and as Trustee of the Alex S. Gallegos Testamentary Trust), as part of the Mercado Fort Worth Project, in the amount of \$85,000.00, plus estimated closing costs of \$5,000.00 for a total cost of \$90,000.00. Council Member Lane made a motion, seconded by Council Member Davis, that the recommendation be adopted. The motion carried unanimously.

**L-13311
Partial Release
of Sanitary
Sewer Easement**

There was presented Mayor and Council Communication No. L-13311 from the City Manager recommending that the City Council release and abandon a 1,294 square foot portion of the sanitary sewer easement dedicated to the City of Bank One Texas, N.A., Trustee, J.M. Leonard Testamentary Trust, Tarrant County, Texas. Council Member Davis made a motion, seconded by Council Member Haskin, that the recommendation be adopted. The motion carried unanimously.

**PZ-2371
Ord. #15102
Drainage
Easement
Vacation
(VA-01-006)**

There was presented Mayor and Council Communication No. PZ-2371 from the City Manager recommending that the City Council adopt Ordinance No. 15102 vacating a variable width drainage easement containing approximately 4.680 square feet, located in Lot 3R-1, Block 2, Cityview Addition, an addition to the City of Fort Worth, Tarrant County, Texas. It was the consensus of the City Council that the recommendation be adopted.

**PZ-2372
Continued for
One Week**

It was the consensus of the City Council that Mayor and Council Communication No. PZ-2372, Adoption of Ordinance Vacating a Portion of Bryce Avenue, Located within a Portion of Revised Block D, Chamberlin Arlington Heights Addition, and Lots D, E, and F, Block 31, Chamberlin Arlington Heights Addition, First Filing, Fort Worth, Texas, be continued for one week.

Mayor Barr stated that this item was being continued for one week as recommended by City Manager Jackson based on questions raised in the Pre-Council Meeting.

Jim Schell

Mr. Jim Schell, 901 Fort Worth Club, appeared before Council and stated that he would have asked for a continuation of this issue to address Council Member Wentworth's questions raised in the Pre-Council Meeting. He added that there had been some misinformation and that it was his understanding that Mr. McNair planned to move into his house in June 2002. Mr. Schell further stated that he did not know where the two-year construction period surfaced, but that he would address all Council concerns next week.

**PZ-2373
Ord. #15103
Various Utility
Easements
Vacation
(VA-02-031)**

There was presented Mayor and Council Communication No. PZ-2373 from the City Manager recommending that the City Council adopt Ordinance No. 15103 vacating various 7.5-foot wide by 37.5-foot long utility easements containing 4,500 square feet, situated in Lots 11, 13, 15, 16, 17, 20, 21, 22, 24, 26, 27, 30, 31, 33, 35 and 36, Block 176, Summerfields Addition to the City of Fort Worth, Tarrant County, Texas. It was the consensus of the City Council that the recommendation be adopted.

**PZ-2374
Ord. #15104
Alley Vacation
(VA-002-001)**

There was presented Mayor and Council Communication No. PZ-2374 from the City Manager recommending that the City Council adopt Ordinance No. 15104 vacating a 5-foot wide by 465-foot long alley containing approximately 2,326 square feet, located between Northwest 21st Street and Northeast 14th Street, and west of North Grove Street, and along the rear of Lots 6 through 14, Block 182, Aetna Land Company Subdivision and M. G. Ellis Addition, Fort Worth, Tarrant County, Texas.

Council Member Moss informed Council that he had a conflict with this issue, had filed a Conflict of Interest Affidavit with the City Secretary, and would abstain from voting.

Council Member Davis made a motion, seconded by Council Member Lane, that the recommendation be adopted. The motion carried by the following vote:

AYES: Mayor Barr; Mayor Pro tempore McCloud;
Council Members Lane, Silcox, Haskin,
Wentworth, and Davis

NOES: None

ABSENT: Council Member Picht

NOT VOTING: Council Member Moss

**PZ-2375
Ord. #15105
Utility Easement
Vacation
(VA-01-1005)**

There was presented Mayor and Council Communication No. PZ-2375 from the City Manager recommending that the City Council adopt Ordinance No. 15105 vacating an 8-foot wide by 400-foot long utility easement containing 3,200 square feet, located along Lots 1 through 4 and 27 through 30, Block 4, Trentman City Addition to the City of Fort Worth, Texas, located in the Mary Horn Survey, Abstract No. 691, Tarrant County, Texas.

Council Member Moss informed Council that he had a conflict with this issue, had filed a Conflict of Interest Affidavit with the City Secretary, and would abstain from voting.

Mayor Pro tempore McCloud made a motion, seconded by Council Member Davis, that the recommendation be adopted. The motion carried by the following vote:

**AYES: Mayor Barr; Mayor Pro tempore McCloud;
Council Members Lane, Silcox, Haskin,
Wentworth, and Davis**

NOES: None

ABSENT: Council Member Picht

NOT VOTING: Council Member Moss

**PZ-2376
Ord. #15106
Alley Vacation
(VA-02-004)**

There was presented Mayor and Council Communication No. PZ-2376 from the City Manager recommending that the City Council adopt Ordinance No. 15106 vacating a 15-foot wide by 347.58-foot long alley containing 5,214 square feet, between Lots 1 and 9, Anderson's Subdivision, Lots 1 through 5, 6A and 7a, Cora Smith Addition, and Lots 1 through 3, Robert E. Lee Anderson's Subdivision, all located in Tarrant County, Texas.

Council Member Moss informed Council that he had a conflict with this issue, had filed a Conflict of Interest Affidavit with the City Secretary, and would abstain from voting.

Mayor Pro tempore McCloud made a motion, seconded by Council Member Davis, that the recommendation be adopted. The motion carried by the following vote:

**AYES: Mayor Barr; Mayor Pro tempore McCloud;
Council Members Lane, Silcox, Haskin,
Wentworth, and Davis**

NOES: None

ABSENT: Council Member Picht

NOT VOTING: Council Member Moss

**PZ-2377
Ord. #15107
Alley Vacation
(VA-02-014)**

There was presented Mayor and Council Communication No. PZ-2377 from the City Manager recommending that the City Council adopt Ordinance No. 15107 vacating a 15-foot wide by 775-foot long alley containing 11,625 square feet, located between Lots 1 through 30, Block 46, Highland Park Addition, City of Fort Worth, Tarrant County, Texas.

Council Member Moss informed Council that he had a conflict with this issue, had filed a Conflict of Interest Affidavit with the City Secretary, and would abstain from voting.

Mayor Pro tempore McCloud made a motion, seconded by Council Member Davis, that the recommendation be adopted. The motion carried by the following vote:

AYES: Mayor Barr; Mayor Pro tempore McCloud;
Council Members Lane, Silcox, Haskin,
Wentworth, and Davis

NOES: None

ABSENT: Council Member Picht

NOT VOTING: Council Member Moss

**PZ-2378
Ord. #15108
Alley Vacation
(Va-02-015)**

There was presented Mayor and Council Communication No. PZ-2378 from the City Manager recommending that the City Council adopt Ordinance No. 15108 vacating a 20-foot wide by 550-foot long alley containing 11,000 square feet, located along Lots 1 through 24, Block 102, M. G. Ellis Addition, Fort Worth, Texas, and located between Elmwood Avenue and East Jefferson Avenue, Tarrant County, Texas.

Council Member Moss informed Council that he had a conflict with this issue, had filed a Conflict of Interest Affidavit with the City Secretary, and would abstain from voting.

Mayor Pro tempore McCloud made a motion, seconded by Council Member Davis, that the recommendation be adopted. The motion carried by the following vote:

AYES: Mayor Barr; Mayor Pro tempore McCloud;
Council Members Lane, Silcox, Haskin,
Wentworth, and Davis

NOES: None

ABSENT: Council Member Picht

NOT VOTING: Council Member Moss

**PZ-2379
Ord. #15109
Street and Utility
Easements
Vacation
(VA-02-027)**

There was presented Mayor and Council Communication No. PZ-2379 from the City Manager recommending that the City Council adopt Ordinance No. 15109 vacating a portion of Harwen Terrace located between Blocks 33 and 36 measuring 265 feet long by 50 feet wide, containing 13,250 square feet; and utility easements along Lots 1 through 10, Block 33; and Lots 1 through 10, Block 36, measuring 265 feet by 8 feet, containing 2,120 square feet each, all in the Bluebonnet Hills Addition, Fort Worth, Tarrant County, Texas.

Council Member Moss informed Council that he had a conflict with this issue, had filed a Conflict of Interest Affidavit with the City Secretary, and would abstain from voting.

Council Member Wentworth made a motion, seconded by Council Member Davis, that the recommendation be adopted. The motion carried by the following vote:

AYES: Mayor Barr; Mayor Pro tempore McCloud;
Council Members Lane, Silcox, Haskin,
Wentworth, and Davis

NOES: None

ABSENT: Council Member Picht

NOT VOTING: Council Member Moss

**C-19080
Continued for
Two Weeks**

It was the consensus of the City Council that Mayor and Council Communication No. C-19080, dated May 14, 2002, Execute a Contract with Songer Construction, Inc. for Construction of Fire Station No. 39, be continued for two weeks.

**C-19087
Golden Eagle
Acquisitions,
LLC**

There was presented Mayor and Council Communication No. C-19087 from the City Manager recommending that the City Council authorize the City Manager to enter into a consent agreement with Golden Eagle Acquisitions, LLC authorizing the installation of conduits in the 2400 block of Western Center Boulevard. It was the consensus of the City Council that the recommendation be adopted.

**C-19088
Amendment #1
to CSC #24591 –
Halff Associates,
Inc.**

There was presented Mayor and Council Communication No. C-19088 from the City Manager recommending that the City Council authorize the City Manager to execute Amendment No. 1 to City Secretary Contract No. 24591 with Halff Associates, Inc. to design additional water and sanitary sewer lines along BU287P in the

amount of \$39,000.00, thereby increasing the contract amount to \$185,430.00. It was the consensus of the City Council that the recommendation be adopted.

**C-19089
Amendment #1
to CSC #26807 –
TranSystems
Corporation
Consultants**

There was presented Mayor and Council Communication No. C-19089 from the City Manager recommending that the City Council authorize the City Manager to execute Amendment No. 1 to City Secretary Contract No. 26807 with TranSystems Corporation Consultants for additional work to the sanitary sewer Main 244A parallel relief study and design in the amount of \$179,141.48, increasing the total contract amount to \$906,901.48. It was the consensus of the City Council that the recommendation be adopted.

**C-19090
Ord. #15110
George
Kountoupes
Painting
Company**

There was presented Mayor and Council Communication No. C-19090 from the City Manager recommending that the City Council:

1. Authorize the transfer of \$327,771.00 from the Water and Sewer Operating Fund to the Sewer Capital Project Fund; and
2. Adopt Appropriation Ordinance No. 15110 increasing estimated receipts and appropriations in the Sewer Capital Project Fund in the amount of \$327,771.00 from available funds for the purpose of funding an award of contract to George Kountoupes Painting Company for repair and repainting of a service tower at the Village Creek Wastewater Treatment Plant; and
3. Authorize the City Manager to execute a construction contract with George Kountoupes Painting Company in the amount of \$310,000.00 for the repair and repainting of a service tower at the Village Creek Wastewater Treatment Plant.

It was the consensus of the City Council that the recommendation be adopted.

**C-19091
Res. #2838
Johnson County**

There was presented Mayor and Council Communication No. C-19091 from the City Manager recommending that the City Council approve Resolution No. 2838 approving an interlocal agreement with Johnson County, Texas for regulation of subdivision plats and approval of related permits in the City's extraterritorial jurisdiction. It was the consensus of the City Council that the recommendation be adopted.

**C-19092
Ord. #15111
Change Order #1
– Gilco
Contracting, Inc.**

There was presented Mayor and Council Communication No. C-19092 from the City Manager recommending that the City Council:

- 1. Authorize the transfer of \$88,000.00 from the Water and Sewer Operating Fund to the Water Capital Projects Fund in the amount of \$82,000.00 and the Sewer Capital Projects Fund in the amount of \$6,000.00; and**
- 2. Adopt Appropriation Ordinance No. 15111 increasing estimated receipts and appropriations in the Water Capital Projects Fund in the amount of \$82,000.00 and the Sewer Capital Projects Fund in the amount of \$6,000.00 from available funds for the purpose of funding Change Order No. 1 with Gilco Contracting, Inc. for the widening of North Beach Street from Basswood Boulevard to Shiver Road; and**
- 3. Authorize the City Manager to execute Change Order No. 1 with Gilco Contracting, inc. for the widening of North Beach Street from Basswood Boulevard to Shiver Road in the amount of \$387,190.30 thereby increasing the contract amount to \$4,613,461.45.**

It was the consensus of the City Council that the recommendation be adopted.

**C-19093
TranSystems
Corporation
Consultants**

There was presented Mayor and Council Communication No. C-19093 from the City Manager recommending that the City Council authorize the City Manager to execute an engineering services contract with TranSystems Corporation Consultants for the geotechnical investigation, design, and inspection of the East First Street bridge repairs in an amount not to exceed \$40,000.00.

City Manager Jackson stated that the Discussion section of the M&C needed to be amended to include the following M/WBE statement:

“M/WBE – TranSystems Corporation Consultants is in compliance with the City’s M/WBE Ordinance by committing to ten percent M/WBE participation. The City’s goal on this project is ten percent.”

Council Member Davis made a motion, seconded by Council Member Haskin, that Mayor and Council Communication No. C-19093 be adopted, as amended. The motion carried unanimously.

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| C-19094
McClendon
Construction
Company, Inc. | There was presented Mayor and Council Communication No. C-19094 from the City Manager recommending that the City Council authorize the City Manager to execute a contract with McClendon Construction Company, Inc. in the amount of \$935,919.93 for reconstruction of Avenue J, Livingston Avenue and Pine Street with associated water and sanitary sewer improvements. It was the consensus of the City Council that the recommendation be adopted. |
| C-19095
Change Order #1
to CSC #27071 –
Eagle
Contracting L.P. | There was presented Mayor and Council Communication No. C-19095 from the City Manager recommending that the City Council authorize the City Manager to execute Change Order No. 1 to City Secretary Contract No. 27071 with Eagle Contracting, L. P. for Rolling Hills Water Treatment Plant – Facilities Upgrade and 40 million gallons per day Expansion, Phase 1 – Ozonation Facilities I the amount of \$279,082.21, thereby increasing the contract amount to \$16,317,082.21. It was the consensus of the City Council that the recommendation be adopted. |
| C-19096
CDBG Year
XXVIII, ESG and
HOPWA Year
2002-2003
Grants | There was presented Mayor and Council Communication No. C-19096 from the City Manager recommending that the City Council authorize the City Manager to execute Community Development Block Grant (CDBG) Year XXVIII, Emergency Shelter Grant (ESG) Year 2002-2003, and Housing Opportunities for Persons with AIDS (HOPWA) Year 2002-2003 contracts with various organizations to administer their respective programs, contingent upon approval and receipt of adequate funding from the U. S. Department of Housing and Urban Development, for a term beginning June 1, 2002, and expiring May 31, 2003. Mayor Pro tempore McCloud made a motion, seconded by Council Member Wentworth, that the recommendation be adopted. The motion carried unanimously. |
| C-19097
FTW Sunset
Hills Limited
Partnership | There was presented Mayor and Council Communication No. C-19097 from the City Manager recommending that the City Council authorize the City Manager to execute a Community Facilities Agreement with FTW Sunset Hills Limited Partnership for the installation of community facilities for Sunset Hills Addition. Council Member Haskin made a motion, seconded by Mayor Pro tempore McCloud, that the recommendation be adopted. The motion carried unanimously. |
| C-19098
Allen Samuels
Realty, Inc. | There was presented Mayor and Council Communication No. C-19098 from the City Manager recommending that the City Council authorize the City Manager to execute a Community Facilities Agreement with Allen Samuels Realty, Inc. for the installation of |

water and sewer services to serve Allen Samuels Dodge, a future commercial auto dealership development on the east side of IH-35, south of Timberland Boulevard in far north Fort Worth. Council Member Haskin made a motion, seconded by Council Member Moss, that the recommendation be adopted. The motion carried unanimously.

**ZC-02-0091
Ord. #15112
Approved
Text
Amendment**

It appeared that the City Council, at its meeting of May 14, 2002, continued the hearing in connection with Zoning Docket No. ZC-02-0091, Text amendment permitting additional uses in Low Intensity Mixed-Use ("MU-1") and High Intensity Mixed-Use ("MU-2") Districts. Mayor Barr asked if there was anyone present desiring to be heard.

There being no one else present desiring to be heard in connection with Ordinance No. 15112 Text Amendment, Council Member Davis made a motion, seconded by Mayor Pro tempore McCloud, that the Zoning Hearing be closed and that Zoning Docket No. ZC-02-0091 be adopted and the following ordinance be approved, as amended, in the Pre-Council Meeting:

ORDINANCE NO. 15112

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF FORT WORTH, BEING ORDINANCE NO. 13896, AS AMENDED, CODIFIED AS APPENDIX "A" OF THE CODE OF THE CITY OF FORT WORTH, BY AMENDING THE RESIDENTIAL USE TABLE TO ADD LOW INTENSITY MIXED-USE ('MU-1') AND HIGH INTENSITY MIXED-USE ('MU-2') DISTRICTS; AMENDING THE RESIDENTIAL AND NONRESIDENTIAL USE TABLES TO ADD PERMITTED USES FOR THE LOW INTENSITY MIXED-USE ('MU-1') AND HIGH INTENSITY MIXED-USE ('MU-2') DISTRICTS; PROVIDING THAT THIS ORDINANCE IS CUMULATIVE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

The motion carried unanimously.

**Citizen
Presentations
Eunice Givens**

Ms. Eunice Givens, 5500 Stafford Drive, appeared before Council relative to Federal Housing Fair Housing Act. She stated that the local government did not have any control of the Fair Housing Act and that the purchase of the Stonegate Villas Apartment complex was the sole responsibility of the Fort Worth Housing Authority. She supported Mayor Barr's decision to not violate Fair Housing Act guidelines.

George Chiles **Mr. George Vernon Chiles, 2800 Jennings, appeared before Council in opposition of any public assistance being provided to the Bank One Tower.**

**John Kerr,
Jim Tate** **Mr. John Kerr, 1200 Blackberry Court, representing the Fort Worth Police Officer's Association, and Mr. Jim Tate, 417 N. Retta, representing the Fort Worth Firefighters Association, appeared before Council and expressed concerns relative to the proposed increase in employee health care benefits. They requested Council consider raising the City's contribution to lessen the burden on City employees.**

**Executive
Session** **It was the consensus of the City Council that they recess into Executive Session at 10:55 a.m. to:**

1. Seek the advice of its attorneys concerning the following pending or contemplated litigation or other matters that are exempt from public disclosure under Article X, Section 9 of the Texas State Bar Rules:

- a) James S. Dubose v. City of Fort Worth, Cause No. 17-180555-99;**
- b) Cities of Denton, Texas et al v. TXU Electric Company, et al, Cause No. 009383 (134th Judicial District, Dallas County);**
- c) Potential litigation concerning land use rights in Centreport area;**
- d) Legal issues concerning employee and retiree health benefits;**
- e) Legal issues concerning the solid waste collection and disposal contract;**
- f) David Harold Davis, Jr. v City of Fort Worth and Ruben Ruiz, Civil Action No. 4:02-CV-0100-A;**
- g) Legal issues concerning any City Council agenda item;**

**as authorized by Section 551.071 of the Texas Government Code;
and**

- 2. Deliberate the purchase, sale, lease, or value of real property in accordance with Section 551.072 of the Texas Government Code. Deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third party; and**
- 3. Deliberate concerning economic development negotiations as authorized by Section 551.086 of the Texas Government Code; and**
- 4. Deliberate the deployment, or specific occasions for implementation, of security personnel or devices, in accordance with Section 551.076 of the Texas Government Code.**

Reconvened The City Council reconvened into regular session at 12:45 p.m.

Adjournment There being no further business, the meeting was adjourned at 12:45 p.m.